

May 9, 2005

STATUTORY PROVISIONS

An act to amend Sections 12804, 13975, 14931, 14931.1, 15252, 15275, 15277, and 19857 of, to add Chapter 5.5 (commencing with Section 11531) to Part 1 of Division 3 of Title 2 of, to repeal Sections 15276 and 15279 of, and to repeal Article 2 (commencing with Section 11792) and Article 3 (commencing with Section 11796) of Chapter 7.5 of Division 3 of Title 2 of, the Government Code, relating to technology, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

Governor's Reorganization Plan No.2 of 2005

Technology reorganization: Department of Technology Services.

Existing law generally sets forth the requirements for the acquisition of information technology goods and services by the state, and for the operation of various information technology services by state agencies.

Existing law establishes the California Health and Human Services Agency Data Center in the California Health Services Agency and the Stephen P. Teale Data Center in the Business, Transportation and Housing Agency for the purpose of providing electronic data processing services to state agencies and for allocating moneys to projects that demonstrate or develop advanced information technologies as solutions to information processing problems.

The California Health and Human Services Agency Data Center Revolving Fund and the Stephen P. Teale Data Center Revolving Fund are established in the State Treasury and continuously appropriated for the payment of expenses incurred by the data centers. Under existing law, these funds cease to exist if the data centers are consolidated with other state information technology centers, and any remaining moneys in the funds are required to be distributed according to specified provisions of law.

Existing law also authorizes the Department of General Services to acquire, install, equip, maintain, and operate new or existing communications systems and facilities.

This reorganization plan would create the Department of Technology Services in state government, under the Director of Technology Services, within the State and Consumer Services Agency. The plan would create the Technology Services Board, with a specified membership, within the department.

The reorganization plan would authorize the department to acquire, install, equip, maintain, and operate new or existing business telecommunications systems and services and require it to coordinate all matters affecting statewide business telecommunications policy and planning. The reorganization plan would limit the authority of the Department of General Services to acquire, install, equip, maintain, and operate communications systems and facilities to public safety agencies.

The reorganization plan would also consolidate and transfer the functions of the Stephen P. Teale Data Center, the California Health and Human Services Agency Data Center, and the Telecommunications Division of the Department of General Services to the department. The Director would be required to administer the department pursuant to a written plan of operations developed with the advice of the Board. The reorganization plan would create the Department of Technology Services Revolving Fund within the State Treasury, which would be continuously appropriated and available for encumbrance without regard to fiscal years.

- 1 SECTION 1. Chapter 5.5 (commencing with Section 11531)
- 2 is added to Part 1 of Division 3 of Title 2 of the Government
- 3 Code, to read:

CHAPTER 5.5. TECHNOLOGY

Article 1. General Provisions and Definitions

11531. This chapter shall be known and may be cited as the Technology Act of 2005.

11532. For purposes of this chapter, the following terms shall have the following meanings, unless the context requires otherwise:

(a) “Board member” means a member of the Technology Services Board.

(b) “Department” means the Department of Technology Services established by this chapter.

(c) “Board” means the Technology Services Board created pursuant to Section 11535.

(d) “Director” means the Director of Technology Services.

(e) “Technology” includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, and business telecommunications systems and services.

(f) “Business telecommunications systems and services” includes, but is not limited to, wireless or wired systems for transport of voice, video, and data communications, network systems, requisite facilities, equipment, system controls, simulation, electronic commerce, and all related interactions between people and machines. Public safety communications are excluded from this definition.

(g) “Public agencies” include, but are not limited to, all state and local governmental agencies in the state, including cities, counties, other political subdivisions of the state, state departments, agencies, boards, and commissions, and departments, agencies, boards, and commissions of other states and federal agencies.

Article 2. Department of Technology Services

11534. (a) There is in state government, in the State and Consumer Services Agency, the Department of Technology Services.

(b) The purpose of this article is to establish a general purpose technology services provider to serve the common technology needs of executive branch entities with accountability to customers for providing secure services that are responsive to client needs at a cost representing best value to the state.

(c) The purpose of this chapter is to improve and coordinate the use of technology and to coordinate and cooperate with all public agencies in the state in order to eliminate duplications and to bring about economies that could not otherwise be obtained.

11535. (a) There is, in the department, the Technology Services Board.

(b) The board shall consist of 13 members, as follows:

(1) The Governor's designee, who shall serve as the chair of the board.

(2) The Director of Finance, who shall serve as vice chair of the board.

(3) The Controller.

(4) The Secretaries of the Department of Food and Agriculture, the Business, Transportation and Housing Agency, the California Environmental Protection Agency, the California Health and Human Services Agency, the Labor and Workforce Development Agency, the Resources Agency, the State and Consumer Services Agency, the Department of Veterans Affairs, and the Youth and Adult Correctional Agency.

(5) The Director of the Office of Emergency Services.

11536. The board shall meet not less than once each quarter. A quorum shall consist of seven members of the board. All decisions of the board shall be made by a majority vote of a quorum of the board.

11537. (a) The board shall engage an independent firm of certified public accountants to conduct an annual financial audit of all accounts and transactions of the department. The audit shall be conducted in accordance with Generally Accepted Government Auditing Standards. The audited financial statements shall be presented to the board, the Governor, and the Legislature not more than 120 days after the close of the fiscal year.

(b) The board may arrange for other audits as are necessary or prudent to ensure proper oversight and management of the department.

1 11538. The director shall be appointed by, and serve at the
2 pleasure of, the Governor, subject to Senate confirmation. The
3 director shall act as executive officer of the board.

4 11539. The director shall be responsible for managing the
5 affairs of the department and shall perform all duties, exercise all
6 powers and jurisdiction, and assume and discharge all
7 responsibilities necessary to carry out the purposes of this
8 chapter. The director shall employ professional, clerical,
9 technical, and administrative personnel as necessary to carry out
10 this chapter.

11 11540. (a) The director shall administer the department
12 pursuant to a written plan of operations developed with advice
13 from the board. The plan of operations shall establish in detail
14 the policies, procedures, and organization of the department,
15 including, but not limited to, financial and administrative
16 operations, performance measurements, methods of collection,
17 procedures consistent with constitutional, statutory, and common
18 law requirements for dispute resolution, and procedures by which
19 the department enters into all agreements and contracts,
20 including, but not limited to, purchases, sales, leases, licenses,
21 memorandums of understanding, and interagency agreements.
22 The plan shall be limited to procedures and processes necessary
23 to accomplish and carry out the consolidation and transfer
24 prescribed in Section 11542 and the ongoing operation of that
25 consolidated system.

26 (b) The director shall propose for board consideration and
27 approval an annual budget for departmental operations. As part
28 of the annual budget development, the department shall
29 determine the impact of any rebates, abatements, or rate
30 reductions resulting from excess reserve funds. At least 60 days
31 before submitting the proposed budget to the board, the director
32 shall submit the proposed budget to the Department of Finance.
33 Submittal of the budget to the Department of Finance shall be in
34 a format and timeframe determined by the Department of
35 Finance. The Department of Finance shall prepare a report to the
36 board evaluating the reasonableness of the proposed budget and
37 any significant impact the department's budget is likely to have
38 upon the budgets of other departments.

39 (c) The director shall propose for board consideration rates for
40 department services based on a formal rate methodology

1 approved by the board. At least 60 days before submitting
2 proposed rates to the board, the director shall submit the
3 proposed rates to the Department of Finance. Submittal of the
4 rates to the Department of Finance shall be in a format and
5 timeframe determined by the Department of Finance. The
6 Department of Finance shall prepare a report to the board
7 evaluating the reasonableness of the proposed rates and any
8 significant impact the department's rates are likely to have upon
9 the budgets of other departments.

10 11541. (a) The department may acquire, install, equip,
11 maintain, and operate new or existing business
12 telecommunications systems and services. To accomplish that
13 purpose, it may enter into contracts, obtain licenses, acquire
14 property, install necessary equipment and facilities, and do other
15 acts that will provide adequate and efficient business
16 telecommunications systems and services. Any system
17 established shall be made available to all public agencies in the
18 state on terms that may be agreed upon by the agency and the
19 department.

20 (b) With respect to business telecommunications systems and
21 services, the department may do all of the following:

22 (1) Provide representation of public agencies before the
23 Federal Communications Commission in matters affecting the
24 state and other public agencies regarding business
25 telecommunications systems and services issues.

26 (2) Provide, upon request, advice to public agencies
27 concerning existing or proposed business telecommunications
28 systems and services between any and all public agencies.

29 (3) Recommend to public agencies rules, regulations,
30 procedures, and methods of operation that it deems necessary to
31 effectuate the most efficient and economical use of business
32 telecommunications systems and services within the state.

33 (4) Carry out the policies of this chapter.

34 (c) The department has responsibilities with respect to
35 business telecommunications systems, services, policy, and
36 planning, which include, but are not limited to, all of the
37 following:

38 (1) Assessing the overall long-range business
39 telecommunications needs and requirements of the state
40 considering both routine and emergency operations for business

1 telecommunications systems and services, performance, cost,
2 state-of-the-art technology, multiuser availability, security,
3 reliability, and other factors deemed to be important to state
4 needs and requirements.

5 (2) Developing strategic and tactical policies and plans for
6 business telecommunications with consideration for the systems
7 and requirements of public agencies.

8 (3) Recommending industry standards, service level
9 agreements, and solutions regarding business
10 telecommunications systems and services to assure multiuser
11 availability and compatibility.

12 (4) Providing advice and assistance in the selection of business
13 telecommunications equipment to ensure all of the following:

14 (A) Ensuring that the business telecommunications needs of
15 state agencies are met.

16 (B) Ensuring that procurement is compatible throughout state
17 agencies and is consistent with the state's strategic and tactical
18 plans for telecommunications.

19 (C) Ensuring that procurement is designed to leverage the
20 buying power of the state and encourage economies of scale.

21 (5) Providing management oversight of statewide business
22 telecommunications systems and services developments.

23 (6) Providing for coordination of, and comment on, plans and
24 policies and operational requirements from departments that
25 utilize business telecommunications systems and services as
26 determined by the department.

27 (7) Monitoring and participating, on behalf of the state, in the
28 proceedings of federal and state regulatory agencies and in
29 congressional and state legislative deliberations which have an
30 impact on state governmental business telecommunications
31 activities.

32 (d) The department shall develop and describe statewide
33 policy on the use of business telecommunications systems and
34 services by state agencies. In the development of that policy, the
35 department shall assure that access to state business information
36 and services is improved, and that the policy is cost-effective for
37 the state and its residents. The department shall develop
38 guidelines that do all of the following:

1 (1) Describe what types of state business information and
2 services may be accessed using business telecommunications
3 systems and services.

4 (2) Characterize the conditions under which a state agency
5 may utilize business telecommunications systems and services.

6 (3) Characterize the conditions under which a state agency
7 may charge for information and services.

8 (4) Specify pricing policies.

9 (5) Provide other guidance as may be appropriate at the
10 discretion of the department.

11 11542. (a) The Stephen P. Teale Data Center and the
12 California Health and Human Services Agency Data Center are
13 consolidated within, and their functions are transferred to, the
14 department.

15 (b) The business telecommunications systems and services
16 functions of the Telecommunications Division of the Department
17 of General Services are transferred to the department.

18 (c) Except as expressly provided otherwise in this chapter, the
19 department is the successor to, and is vested with, all of the
20 duties, powers, purposes, responsibilities, and jurisdiction of the
21 Stephen P. Teale Data Center, the California Health and Human
22 Services Agency Data Center, and the business
23 telecommunications systems and services functions of the
24 Telecommunications Division of the Department of General
25 Services. Any reference in statutes, regulations, or contracts to
26 those entities with respect to the transferred functions shall be
27 construed to refer to the Department of Technology Services
28 unless the context clearly requires otherwise.

29 (d) No contract, lease, license, or any other agreement to
30 which the Stephen P. Teale Data Center, the California Health
31 and Human Services Agency Data Center, or the
32 Telecommunications Division of the Department of General
33 Services, with respect to the business telecommunications
34 systems and services functions, is a party, shall be void or
35 voidable by reason of this chapter, but shall continue in full force
36 and effect, with the department assuming all of the rights,
37 obligations, and duties of the Stephen P. Teale Data Center, the
38 California Health and Human Services Agency Data Center, or
39 the Telecommunications Division of the Department of General
40 Services, respectively.

(e) Notwithstanding subdivision (e) of Section 11793 and subdivision (e) of Section 11797, on and after the effective date of this chapter, the balance of any funds available for expenditure by the Stephen P. Teale Data Center, the California Health and Human Services Agency Data Center, and the Telecommunications Division of the Department of General Services, with respect to business telecommunications systems and services functions in carrying out any functions transferred to the department by this chapter, shall be transferred to the Department of Technology Services Revolving Fund created by Section 11544, and shall be made available for the support and maintenance of the department.

(f) All references in statutes, regulations, or contracts to the former Stephen P. Teale Data Center Fund or the California Health and Human Services Data Center Revolving Fund shall be construed to refer to the Department of Technology Services Revolving Fund unless the context clearly requires otherwise.

(g) All books, documents, records, and property of the Stephen P. Teale Data Center, the California Health and Human Services Agency Data Center, excluding the Systems Integration Division, and the Telecommunications Division of the Department of General Services, with respect to business telecommunications systems and services functions, shall be transferred to the department.

(h) (1) All officers and employees of the former Stephen P. Teale Data Center, the California Health and Human Services Agency Data Center, and the Telecommunications Division of the Department of General Services, with respect to business telecommunications systems and services functions, are transferred to the department.

(2) The status, position, and rights of any officer or employee of the Stephen P. Teale Data Center, the California Health and Human Services Agency Data Center, and the Telecommunications Division of the Department of General Services, with respect to business telecommunications systems and services functions, shall not be affected by the transfer and consolidation of their functions to the department.

11543. (a) The director shall confer as frequently as necessary or desirable, but not less than once every quarter, with the board, on the operation and administration of the department.

1 The director shall make available for inspection by the board or
2 any board member, upon request, all books, records, files, and
3 other information and documents of the department and
4 recommend any matters as he or she deems necessary and
5 advisable to improve the operation and administration of the
6 department.

7 (b) The director shall make and keep books and records to
8 permit preparation of financial statements in conformity with
9 generally accepted accounting principles and any state policy
10 requirements.

11
12 Article 3. Department of Technology Services Revolving
13 Fund
14

15 11544. (a) The Department of Technology Services
16 Revolving Fund, hereafter known as the fund, is hereby created
17 within the State Treasury. Notwithstanding Section 13340, the
18 fund is continuously appropriated and available for encumbrance
19 without regard to fiscal years for the purposes of this chapter.
20 The fund shall be administered by the director, pursuant to the
21 department's plan of operations, to receive all revenues from the
22 sale of technology or technology services provided for in this
23 chapter and all other moneys properly credited to the board and
24 department from any other source, to pay all costs arising from
25 this chapter, including, but not limited to, operating and other
26 expenses of the board and department and costs associated with
27 approved information technology projects, and to establish
28 reserves. At the discretion of the director, segregated, dedicated
29 accounts within the fund may be established.

30 (b) The fund shall consist of all of the following:

31 (1) Moneys appropriated and made available by the
32 Legislature for the purpose of this chapter.

33 (2) Any other moneys that may be made available to the
34 department for the purpose of this chapter from any other source,
35 including the return from investments of moneys by the
36 Treasurer.

37 (c) The department may collect payments from public
38 agencies for providing services to those agencies that the
39 agencies have contracted with the department to provide. The
40 department may require monthly payments by client agencies for

1 the services the agencies have contracted the department to
2 provide. Pursuant to Section 11255, the Controller shall transfer
3 any amounts so authorized by the department, consistent with the
4 annual budget of each department, to the fund. The department
5 shall notify each affected state agency upon requesting the
6 Controller to make the transfer.

7 (d) If the balance remaining in the fund at the end of any fiscal
8 year exceeds 25 percent of the department's current fiscal year
9 budget, the excess amount shall be used to reduce the billing
10 rates for services rendered during the following fiscal year.

11 SEC. 2. Article 2 (commencing with Section 11792) of
12 Chapter 7.5 of Division 3 of Title 2 of the Government Code is
13 repealed.

14 SEC. 3. Article 3 (commencing with Section 11796) of
15 Chapter 7.5 of Division 3 of Title 2 of the Government Code is
16 repealed.

17 SEC. 4. Section 12804 of the Government Code is amended
18 to read:

19 12804. The Agriculture and Services Agency is hereby
20 renamed the State and Consumer Services Agency.

21 The State and Consumer Services Agency consists of the
22 following: the Department of General Services; *the Department*
23 *of Technology Services*; the Department of Consumer Affairs;
24 the Franchise Tax Board; the Public Employees' Retirement
25 System; the State Teachers' Retirement System; the Department
26 of Fair Employment and Housing; the Fair Employment and
27 Housing Commission; the California Science Center; the
28 California Victim Compensation and Government Claims Board;
29 the California African-American Museum; and the State Building
30 and Standards Commission.

31 SEC. 5. Section 13975 of the Government Code is amended
32 to read:

33 13975. The Business and Transportation Agency in state
34 government is hereby renamed the Business, Transportation and
35 Housing Agency. The agency consists of the Department of
36 Alcoholic Beverage Control, the Department of the California
37 Highway Patrol, the Department of Corporations, the Department
38 of Housing and Community Development, the Department of
39 Motor Vehicles, the Department of Real Estate, the Department
40 of Transportation, the Department of Financial Institutions, the

1 Department of Managed Health Care, ~~the Stephen P. Teale~~
2 ~~Consolidated Data Center~~; and the California Housing Finance
3 Agency is also located within the Business, Transportation and
4 Housing Agency, as specified in Division 31 (commencing with
5 Section 50000) of the Health and Safety Code.

6 SEC. 6. Section 14931 of the Government Code is amended
7 to read:

8 14931. The department may acquire, install, equip, maintain,
9 and operate new or existing *public safety* communications
10 systems and facilities *for public safety agencies*. To accomplish
11 that purpose, it may, in the name of the state, enter into contracts,
12 obtain licenses, acquire property, install necessary equipment and
13 facilities, and do ~~such~~ other acts ~~as that~~ will provide adequate
14 and efficient *public safety* communications systems. Any system
15 established shall be available to all public agencies in the state on
16 ~~such~~ terms ~~as that~~ may be agreed upon by the agency and the
17 department.

18 SEC. 7. Section 14931.1 of the Government Code is amended
19 to read:

20 14931.1. The department shall acquire, install, equip,
21 maintain, and operate all new or replacement ~~microwave~~ *public*
22 *safety* communications systems operated by the state, excepting
23 microwave equipment used exclusively for traffic signal and
24 signing control, traffic metering, and roadway surveillance
25 systems. To accomplish that purpose, it may, in the name of the
26 state, enter into contracts, obtain licenses, acquire property,
27 install necessary equipment and facilities, and do ~~such~~ other acts
28 ~~as that~~ will provide adequate and efficient microwave
29 communications systems. Any system established shall be
30 available to all public agencies in the state on ~~such~~ terms ~~as that~~
31 may be agreed upon by the public agency and the department.

32 SEC. 8. Section 15252 of the Government Code is amended
33 to read:

34 15252. The purpose of this part is to improve and coordinate
35 the use of *public safety* radio and other *public safety*
36 communications facilities owned and operated by the state, and
37 to coordinate and cooperate with cities, counties, and other
38 political subdivisions thereof, in order to eliminate duplications
39 and interferences, to bring about economies ~~which that~~ could not
40 otherwise be obtained.

1 SEC. 9. Section 15275 of the Government Code is amended
2 to read:

3 15275. The Department of General Services may *do all of the*
4 *following*:

5 (a) Provide adequate representation of local and state
6 governmental bodies and agencies before the Federal
7 Communications Commission in matters affecting the state and
8 its cities, counties, and other public agencies *regarding public*
9 *safety communications issues*.

10 (b) Provide, upon request, adequate advice to state and local
11 agencies in the state concerning existing or proposed *public*
12 *safety* communications facilities between any and all of the
13 following: cities, counties, other political subdivisions of the
14 state, state departments, agencies, boards, and commissions, and
15 departments, agencies, boards, and commissions of other states
16 and federal agencies.

17 (c) Recommend to the appropriate state and local agencies
18 ~~such~~ rules, regulations, procedures, and methods of operation ~~as~~
19 *that* it deems necessary to effectuate the most efficient and
20 economical use of publicly owned and operated *public safety*
21 communications facilities within this state.

22 (d) Provide, upon request, information and data concerning the
23 *public safety* communications facilities which are owned and
24 operated by public agencies in connection with official business
25 of public safety services.

26 (e) Carry out the policy of this part.

27 SEC. 10. Section 15276 of the Government Code is repealed.

28 ~~15276. (a) The department shall coordinate experimental~~
29 ~~studies on the use of telecommunications and information~~
30 ~~systems for telecommuting and teleworking.~~

31 ~~(b) The department, in conducting these studies shall consider,~~
32 ~~among other issues, all of the following issues of concern:~~

33 ~~(1) The impact of telecommuting and teleworking on the~~
34 ~~effective delivery of existing state services.~~

35 ~~(2) New state services which telecommuting and teleworking~~
36 ~~may make possible.~~

37 ~~(3) The consequences of telecommuting and teleworking for~~
38 ~~managers and employees of state agencies, including the quality~~
39 ~~of worklife within state agencies.~~

1 ~~(4) The opportunities created by telecommuting and~~
2 ~~teleworking for the employment of, and the enhancement of~~
3 ~~working life for, persons with disabilities.~~

4 ~~(5) The enhancements to telecommunications and information~~
5 ~~systems now or soon to be available which may facilitate the~~
6 ~~conduct of telecommuting and teleworking.~~

7 SEC. 11. Section 15277 of the Government Code is amended
8 to read:

9 15277. There is hereby established within the department a
10 Division of Telecommunications. The division shall include a
11 policy and planning unit whose duties shall include, but not be
12 limited to, all of the following:

13 (a) Assessing the overall long-range ~~telecommunications~~
14 *public safety communications* needs and requirements of the state
15 considering ~~both routine and~~ emergency operations,
16 performance, cost, state-of-the-art technology, multiuser
17 availability, security, reliability, and ~~such~~ other factors deemed to
18 be important to state needs and requirements.

19 (b) Developing strategic and tactical policies and plans for
20 ~~telecommunications~~ *public safety communications* with
21 consideration for the systems and requirements of *the state and*
22 ~~all public agencies in the state, counties, and other local~~
23 ~~jurisdictions;~~ and preparing an annual strategic
24 ~~telecommunications communications~~ plan ~~which~~ *that* includes
25 the feasibility of interfaces with federal and other state
26 telecommunications networks and services.

27 (c) Recommending industry standards for ~~telecommunications~~
28 *public safety communications* systems to assure multiuser
29 availability and compatibility.

30 (d) Providing advice and assistance in the selection of
31 ~~telecommunications~~ *communications* equipment to ensure that
32 ~~the telecommunications~~ *public safety communications* needs of
33 state agencies are met and that procurements are compatible
34 throughout state agencies and are consistent with the state's
35 strategic and tactical plans for ~~telecommunications~~ *public safety*
36 *communications*.

37 (e) Providing management oversight of statewide
38 ~~telecommunications~~ *public safety communications* systems
39 developments.

1 (f) Providing for coordination of, and comment on, plans ~~and~~,
2 policies, and operational requirements from departments ~~which~~
3 ~~that utilize telecommunications~~ *public safety communications* in
4 support of their principal function, such as the Office of
5 Emergency Services, National Guard, health and safety agencies,
6 and others with primary ~~telecommunications~~ *public safety*
7 *communications* programs.

8 (g) Monitoring and participating on behalf of the state in the
9 proceedings of federal and state regulatory agencies and in
10 congressional and state legislative deliberations ~~which~~ *that* have
11 an impact on state government ~~telecommunications~~ *public safety*
12 *communications* activities.

13 (h) Developing plans ~~and policy~~ regarding teleconferencing as
14 an alternative to state travel ~~and regarding~~ *during* emergency
15 ~~communications~~ *situations*.

16 SEC. 12. Section 15279 of the Government Code is repealed.

17 ~~15279. The Division of Telecommunications shall, in its next~~
18 ~~annual report to the Legislature, develop and describe state~~
19 ~~policy on the use of voice telecommunications services for the~~
20 ~~delivery of information and services by state agencies.~~

21 ~~That policy shall develop guidelines that:~~

22 ~~(a) Describe what types of state information and services may~~
23 ~~be accessed using voice telecommunications services.~~

24 ~~(b) Characterize the conditions under which a state agency~~
25 ~~may utilize voice telecommunications services to deliver state~~
26 ~~information and services.~~

27 ~~(c) Characterize the conditions under which a state agency~~
28 ~~may charge for that information and services.~~

29 ~~(d) Specify pricing policies.~~

30 ~~(e) Provide other guidance as appropriate.~~

31 ~~In the development of the state policy, the department shall~~
32 ~~assure that access to state information and services is improved,~~
33 ~~and that the policy is cost-effective for the state and its citizens.~~

34 SEC. 13. Section 19857 of the Government Code is amended
35 to read:

36 19857. (a) The appointing power of any officer or employee
37 not a member of the civil service may promulgate regulations
38 governing vacations for these officers or employees. In the
39 absence of these regulations, the rules of the department relating

1 to the regulation and methods of accumulation of vacation for
2 civil service employees shall govern.
3 (b) Notwithstanding subdivision (a), no paid leave including,
4 but not limited to, vacation, annual leave, and sick leave shall be
5 accrued by state officers in the following positions:
6 (1) Executive Director of the California Housing Finance
7 Agency.
8 (2) Director of the Office of Administrative Law.
9 (3) Director of Emergency Medical Services Authority.
10 ~~(4) Director of the Stephen P. Teale Data Center.~~
11 ~~(5)~~
12 (4) Executive Director of the Office of Criminal Justice
13 Planning.
14 ~~(6)~~
15 (5) Director of the California Conservation Corps.
16 ~~(7)~~
17 (6) Director of the Arts Council.
18 The department may adopt regulations for the application of
19 this provision to similar positions established in the future.